

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DWAYNE FURLOW et al.,

Plaintiffs,

v.

JON BELMAR et al.,

Defendants.

Case No.: 4:16-cv-00254-HEA

**SUGGESTION OF DEATH and PLAINTIFFS' MOTION FOR SUBSTITUTION OF
PARTY**

Pursuant to Federal Rule of Civil Procedure 25(a), Counsel for Plaintiffs file a suggestion upon the record of the death of Plaintiff Howard Liner and asks that that Michael Gunn, Personal Representative of the Estate of Howard Liner, Deceased, be substituted in place of Howard Liner as Plaintiff in this action. In support of this motion, Counsel state as follows:

1. Plaintiff Howard Liner passed away on March 17, 2020. A medical examiner/coroner certificate of death is attached as Exhibit A.
2. Under Rule 25(a)(1), a court may order substitution of the proper party if a party dies and the claim is not extinguished.
3. Michael P. Gunn has been appointed personal representative of the estate of Howard Liner. *See* attached Exhibit B, Letters of Administration filed in the Probate Division of the Circuit Court of St. Louis County, Missouri (In re: Howard Liner, Deceased, cause no. 20SL-PR01948).

4. Plaintiffs request that Michael Gunn be substituted in place of Howard Liner as Plaintiff in this action and that the title of this action be amended in conformity herewith.

5. This request is not made for any improper purposes and is in the interest of justice.

6. Counsel for Defendants have been apprised of, and consent to, this motion for substitution.

WHEREFORE, Plaintiffs file this suggestion of death for Plaintiff Howard Liner, and request this Court grant the motion to substitute Michael Gunn, personal representative of the Estate of Howard Liner, as Plaintiff in this matter.

Dated: July 28, 2020

Respectfully submitted,

By: /s/ Maureen Hanlon

Eric Alan Stone (admitted *pro hac vice*)
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
1285 Avenue of the Americas
New York, New York 10019-6064
Tel: (212) 373-3000

Darius Charney (admitted *pro hac vice*)
Angelo Guisado (admitted *pro hac vice*)
CENTER FOR CONSTITUTIONAL RIGHTS
666 Broadway, 7th Floor
New York, New York 10012
Tel: (212) 614-6464

Blake A. Strode (MBE # 68422MO)
Maureen Hanlon (MBE # 70990MO)
ARCHCITY DEFENDERS
1210 Locust Street, 2nd Floor
St. Louis, MO 63103
Tel: (855) 724-2489

Attorneys for Plaintiffs

